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C O N F I D E N T I A L SECTION 01 OF 02 DUSHANBE 000242

SIPDIS

STATE DEPARTMENT FOR SCA/CEN, DS/IP/SCA, DS/TIA/ITA

E.O. 12958: DECL: 3/2/2019

TAGS: PGOV PHUM KJUS ASEC TI

SUBJECT: AN INSIDE LOOK AT TAJIK LAW ENFORCEMENT

CLASSIFIED BY: TRACEY A. JACOBSON, AMBASSADOR, EXE, DOS.

REASON: 1.4 (b), (d)

¶1. (C) Summary: The Ministry of Interior's investigation of an embassy employee's alleged involvement in a visa scam gave EmbOffs an inside look at how Tajik law enforcement officers conduct criminal investigations. The embassy employee was ultimately cleared of criminal liability, but the investigation showed the major challenges facing Tajik law enforcement institutions: the mindset that suspects are guilty until proven innocent; poor administration that hampers the efficiency of investigations; and the malign influence of the State Committee on National Security. End Summary.

EMBASSY EMPLOYEE ACCUSED

¶2. (C) In November 2008, a Tajik woman accused an embassy employee in the Public Affairs Section (PAS) of running a visa fraud ring. The woman originally informed the Regional Security Officer, who in early December 2008 notified the Ministry of Interior of the allegations. The embassy employee allegedly offered to arrange visas to the United States and Canada in return for several thousand dollars. The victim said she handed the money to an associate of the embassy employee in May 2008, and she never received a visa. Once the police began investigating, 11 more victims came forward; investigators estimated that the perpetrator collected about \$60,000.

¶3. (C) The Regional Security Office was closely involved in the investigation from the beginning, and in February 2009, the embassy employee was exonerated of criminal liability. Police investigators found that she was not in a position to influence visa determinations, that she did not have contact with any of the victims, and that she had no involvement in the crime. In fact, they found that the person who originally claimed to be a victim was in fact one of those perpetrating the crime. She had simply used the embassy employee's name to deflect attention from herself.

BAD MANAGEMENT, INEFFICIENT INVESTIGATIONS

¶4. (C) It took police investigators over two months to exclude the embassy employee as a suspect, despite the fact that only one of the 12 victims had even mentioned her as being involved in the scheme. The original lead investigator interviewed the

embassy employee in mid-December 2008, in the presence of a Diplomatic Security Special Agent and the Public Affairs Officer. It was obvious that the investigator assumed that the embassy employee was guilty from the types of questions he asked and from his tone. After the interview, the investigator told the DS agent, "Of course she's involved - why else would someone have accused her?"

¶ 15. (C) The case had three different lead investigators between December 2008 and February 2009, and overall supervision of the case moved between two different departments within the Ministry of Interior. In late December 2008, a senior Ministry of Interior administrator told the Regional Security Office that the case would be reassigned because he was "not happy with the lead investigator," who held the mid-level rank of Major. A few weeks later, the new lead investigator informed the Regional Security Office that the case would be reassigned because "he had too heavy a caseload."

¶ 16. (C) It took investigators a long time to conduct basic investigative steps, partly because of a management style that has not changed much since the Soviet period. Criminal investigators generally do not conduct field interviews, participate in searches, or seek out leads. Investigators manage the paperwork while different "operational" officers follow up all investigative leads. The result is that lead investigators only have the information that others obtain for them, and field officers are not privy to all the facts of the case. They are therefore not necessarily in a position to recognize important evidence or clues.

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¶ 17. (C) Lack of resources also contributed to delays. Most of the documents in the case file were hand-written. The lead investigators generally typed up the victim statements themselves, but only one of the three lead investigators had a computer in his office. In one case, the investigator was so poor at typing that he conducted the interview by having the witness type her own statement. It took investigators more than three weeks after the original complaint to obtain a search warrant for their prime suspect's house. It took investigators more than a month to request phone records of the victims and suspect, despite the Ministry of Interior unit having unfettered access to call records from all cellular providers in Tajikistan (the law does not require warrants or requests from prosecutors).

AND OF COURSE, THERE'S THE KGB

¶ 18. (C) By mid-January, the police had concluded that the original accuser was not credible, and that she was herself the perpetrator. Her accusations against the embassy employee were uncorroborated, and she made statements that were inconsistent with those of the other victims. However, she had a connection with the State Committee on National Security (GKNB): her boyfriend's sister, who works at the Ministry of Foreign Affairs, is reportedly the mistress of a high-ranking GKNB official.

¶ 19. (C) GKNB officers were involved from the earliest phases of the investigation. An GKNB officer was present in mid-December when the embassy employee was questioned at the Ministry of Interior. After the interview, he ominously told the Regional Security Office that "we have some information on your

employee." The third lead investigator told the Regional Security Office in late January that the GKNB is "putting pressure on us in this case." After the Ministry of Interior closed the case against the embassy employee in February, an investigator told the Regional Security Office that the file would be sent to the GKNB.

FINALLY, A CONCLUSION...OR IS IT?

19. (C) Comment: It appears that the Ministry of Interior investigators ultimately came to the right conclusion - that the embassy employee was not involved in this crime. However, the way in which the investigation progressed highlights the problems with Tajik law enforcement. Even if an investigator is well-intentioned, the Ministry does not have the resources to ensure that an investigation is carried out efficiently. The poor management of this relatively routine case does not bode well for investigations of more complicated crimes. Moreover, the omnipresence of the GKNB is a fact of life in Tajikistan. The fact that GKNB officers can interfere in any case they choose creates problems for the normal criminal investigative process. In this case, because of the GKNB's involvement the embassy employee still does not know whether the matter is closed. EmbOffs do not have the kind of connections with the GKNB that would allow monitoring of their investigation. The GKNB may have "information" on the employee - or it may just use this incident as a convenient pretext to put pressure on a U.S. Embassy employee. End comment.

JACOBSON